



IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Joseph Rustad  
SERIAL NO.: 10/043,824  
FILING DATE: January 11, 2002  
TITLE: Fast Transaction Response Time Prediction Across Multiple Delay Sources  
EXAMINER: Jude Jean Gilles  
GROUP ART UNIT: 2143  
ATTY. DKT. NO.: 16010-05885

| CERTIFICATE OF MAILING  |                                |                      |
|---|--------------------------------|----------------------|
| I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10. |                                |                      |
| Signature:  |                                |                      |
| Typed or Printed Name:  | David K. Varn, Reg. No. 37,186 | Dated: JAN. 20, 2006 |
| Express Mail Mailing Number (optional):   | EV 442657496 US                |                      |

MAIL STOP RCE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**AMENDMENT AND REQUEST FOR  
CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Sir:

This amendment for the patent application identified above is in response to the Final Office Action dated September 21, 2005, which set a shortened statutory period for response that expired on December 21, 2005. The required fees for continued examination and a one-month extension have been enclosed. Please enter Amendment B (previously unentered), which was submitted in response to the above Final Office Action on November 21, 2005, and consider

Amendment B as a submission under 37 C.F.R. §114. A duplicate copy of Amendment B is attached for Examiner's convenience

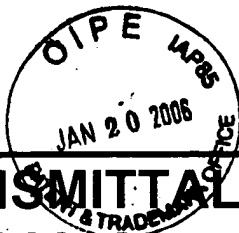
**Conclusion**

Applicant thanks Examiner for processing this Request for Continued Examination, and respectfully invites Examiner to contact Applicant's representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully submitted  
Joseph Rustad

Date: January 20, 2006

By:   
David K. Varn  
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# FEE TRANSMITTAL for FY 2006

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 910.00

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/043,824       |
| Filing Date          | January 11, 2002 |
| First Named Inventor | Joseph Rustad    |
| Examiner Name        | Jude Jean Gilles |
| Art Unit             | 2143             |
| Attorney Docket No.  | 16010-05885      |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick & West LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|-----------------|----------|
|----------|----------|----------|----------|-----------------|----------|

**SUBTOTAL (1)** (\$) 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | 8 -32**= 0   | 50             | 0        |
| Independent Claims | 4 -4**= 0    | 200            | 0        |
| Multiple Dependent |              |                |          |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description   |
|----------|----------|----------|----------|---|
| 1202     | 50       | 2202     | 25       | Claims in excess of 20                                    |
| 1201     | 200      | 2201     | 100      | Independent claims in excess of 3                         |
| 1203     | 360      | 2203     | 180      | Multiple dependent claim, if not paid                     |
| 1204     | 200      | 2204     | 100      | **Reissue independent claims over original patent         |
| 1205     | 50       | 2205     | 25       | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath or declaration                         |          |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |          |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251                  | 120                   | 2251                  | 60                    | Extension for reply within first month                                     | 120      |
| 1252                  | 450                   | 2252                  | 225                   | Extension for reply within second month                                    |          |
| 1253                  | 1020                  | 2253                  | 510                   | Extension for reply within third month                                     |          |
| 1254                  | 1,590                 | 2254                  | 795                   | Extension for reply within fourth month                                    |          |
| 1255                  | 2,160                 | 2255                  | 1,080                 | Extension for reply within fifth month                                     |          |
| 1401                  | 500                   | 2401                  | 250                   | Notice of Appeal   |          |
| 1402                  | 500                   | 2402                  | 250                   | Filing a brief in support of an appeal                                     |          |
| 1403                  | 1000                  | 2403                  | 500                   | Request for oral hearing   |          |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452                  | 500                   | 2452                  | 250                   | Petition to revive - unavoidable   |          |
| 1453                  | 1,500                 | 2453                  | 750                   | Petition to revive - unintentional   |          |
| 1501                  | 1,400                 | 2501                  | 700                   | Utility issue fee (or reissue)   |          |
| 1502                  | 800                   | 2502                  | 400                   | Design issue fee   |          |
| 1503                  | 1100                  | 2503                  | 550                   | Plant issue fee  |          |
| 1460                  |                       | 1460                  |                       | Petitions to the Director  |          |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee for Provisional Applications                                |          |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809                  | 790                   | 2809                  | 395                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                  | 790                   | 2810                  | 395                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                  | 790                   | 2801                  | 395                   | Request for Continued Examination (RCE)                                    | 790      |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3)** (\$) 910.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)

David K. Varn

Registration No.  
(Attorney/Agent)

53,718

Complete (if applicable)

Telephone (650) 335-7183

Signature

*David K. Varn*

Date

January 20, 2006